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Attorney for JERRY CHANG

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JERRY SHAW-YAU CHANG,

Defendant.

Case No. CR 06-0187 CRB

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE HEARING
FROM NOVEMBER 29, 2006 TO
DECEMBER 6, 2006 AND EXCLUDE
TIME UNDER SPEEDY TRIAL ACT**

STIPULATION

Defendant Jerry Shaw-Yau Chang, by and through his attorney, Edward W. Swanson, hereby requests that the Court continue the hearing date in the above-captioned matter from November 29, 2006, to December 6, 2006, or as soon thereafter as convenient for the Court. The parties stipulate that the period of time between November 29 and December 6, 2006, should be excluded under the Speedy Trial Act.

The continuance and time exclusion are requested because Mr. Chang is suffering from a medical condition that has caused him to be temporarily bed-ridden. Because of this condition, Mr. Chang has been unable to meet with counsel and is unlikely to be able to attend the currently scheduled appearance on November 29, 2006.

The parties request the Court continue the hearing until December 6, 2006. The parties also request the Court exclude the time from November 29 to December 6, 2006 under the

Speedy Trial Act due to the temporary unavailability of the defendant (18 U.S.C. § 3161(h)(3)(a)) and for effective preparation of counsel, taking into account the exercise of due diligence, in this case which the Court previously deemed complex. *See* 18 U.S.C. § 3161(h)(8)(B)(ii) and (iv).

IT IS SO STIPULATED.

DATED: November 28, 2006

Respectfully submitted,

_____/s/_____
EDWARD W. SWANSON
Attorney for JERRY CHANG

DATED: November 28, 2006

_____/s/_____
ELISE BECKER
Assistant United States Attorney

ORDER

The Court HEREBY ORDERS that the hearing in the above-captioned matter currently scheduled for November 29, 2006 shall be continued until December 6, 2006 at 2:15 p.m. The Court finds that an exclusion of time under the Speedy Trial Act is warranted because of the temporary unavailability of the defendant and because the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court therefore excludes time under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(3)(a) and (8)(B)(ii) and (iv) for the reasons set forth in the parties' stipulation above.

IT IS SO ORDERED.

DATED: November 29, 2006

HONORABLE CHARLES R. BREYER
UNITED STATES DISTRICT COURT

